

**REMARKS**

**Pending Claims**

Claims 1-6 and 8-42 are pending in this application. Claims 1, 4-6, 8, 11, 13, 17 and 20-23 have been amended. New claims 26-42 have been added. No new matter has been added.

**Interview Summary**

Applicants extend their appreciation to the Examiner for granting an Office Interview with the undersigned attorney. In the interview, it was discussed that applicants would amend the claims and submit new claims that are directed to that which the applicants regard as the invention.

In particular, applicants discussed in the interview that the invention is directed to an information recording medium, such as a DVD-RAM disk, having a recording limited area that has a recording limit and is recognized as an area in which recording of information cannot be performed as a result. See page 4, lines 1-7 of the specification, for example. Further, the recording limit can be canceled, and recording can then be performed in the recording limited area. See page 10, lines 1-3 of the specification, for example.

It was also discussed that the recording medium of the invention has prerecorded target information, such as advertisement information prerecorded on the disk. The target information is displayed in response to a recording instruction. After the target information has been read or played back at least once, then the recording limit can be canceled by performing

a defect-sector jump processing or a replacement processing based on the recording-limited area allocation information in the information recording medium to thereby rewrite the defect management table. See page 10, lines 6-9 of the Specification, for example.

### **Claim Rejections under 35 U.S.C. §103**

Claims 1-6 and 8-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ueki, U.S. Patent No. 6,678,236 in view of Uesaka et al., U.S. Patent No. 6,044,157.

Ueki discloses a DVD-RW, in which copyright information is recorded on a given area of the disc assigned to information related to copyright protection such as information of a CSS (contents scramble system) key. The copyright information is designed to prevent the contents of the main information from being illegally copied. As shown in FIG. 9, the recording process forms a pre-pit area PR in a lead-in area that represents the copyright-protection-related information on an unalterable basis or an inerasable basis (col. 26, lines 24-28 of Ueki).

In the Office Action, Ueki is relied upon for disclosing the canceling of a recording limit for a recording-limited area provided in a recording medium and which is recognized as an area in which recording is limited. See page 3, lines 1-2 and 10 -14 of the Office Action. Specifically, the Office Action refers to the lead in area formed by the pre-pit area PR of Ueki to be equivalent to the claimed recording-limited area. Further, the Office Action cites Ueki for disclosing a recording operation that suspends recording at the timing corresponding to the starting edge of the pre-pit area PR by changing the operation of the apparatus from the recording mode to the playback mode. According to the reference, the recording continues to

be suspended until the timing corresponding to the ending edge of the pre-pit area PR and given by the LPP-based recording timing signal. See col. 26, 51-58 of Ueki. However, the recording operation of Ueki is not equivalent to the claimed canceling of the recording limit for a recording-limited area, as in the present invention.

Although the pre-pit area PR of Ueki is recognized as an area in which recording is limited, i.e. recording cannot be performed or the information erased in the area, there is no disclosure of canceling the recording limit of such area. It would not be obvious to one having ordinary skill in the art to cancel the recording limit of the pre-pit area PR of Ueki since the area contains copyright protection information. Rather, Ueki teaches that the recording of information is suspended at the pre-pit area PR in order to prevent the original copyright-protection-related information recorded on the pre-pit area PR from being damaged and contaminated by the phase change overwrite. See col. 26, 61-63 of Ueki.

According to Ueki, during playback of the information recording medium, the lead-in information recorded in the pre-pit area PR that contains the CSS-key information is reproduced with the data of area DA when the reproduced lead-in information and the player are in a predetermined acceptable relation. If the original copyright-protection-related information recorded on the pre-pit area PR is overwritten, then the contents would not be reproduced since it would be determined that an illegal copying has occurred. See col. 27, line 13-17. Accordingly, there is no teaching or suggestion in Ueki of canceling the recording limit of the area in which recording is suspended, as suggested in the Office Action.

According to the present application, while the recording medium is rewritable allowing for erasure and re-recording of user data in the user data area where the target information such as an ad is recorded, there is provided the function which makes an erasure or re-recording impossible until the target information such as an ad is displayed. Thus, the present invention provides a recording-limited area in which recording is limited so that a manufacturer or user can record desired information. Further, the recording limit can be canceled, preferably after the reading or playing back of the desired information, such as an advertisement. See Fig. 11, page 17, lines 8-20 and page 6, lines 22-31 of the specification, for example.

Uesaka is relied upon for disclosing a method/system that teaches encrypted data from an optical disk such as a DVD. However, the claimed invention of claim 11 sets forth that the information about the position of the recording-limited area is in encrypted form. This enables the recording-limited area to be allocated over the entire user area in a distributed manner, for example. See page 15, lines 10-26. Uesaka does not disclose this aspect of the claimed combination nor does the reference make up for the deficiencies in Ueki. The combination of Ueki and Uesaka does not render the invention unpatentable under 35 U.S.C. §103, and therefore the rejection should be withdrawn.

#### **Request for Continued Examination**

Applicants have filed a Request for Continued Examination (RCE) to ensure entry of the foregoing amendments since the Office Action has been made final. Entry of the

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Amendment filed July 23, 2007  
Notice of Appeal filed May 23, 2007

H&A-108

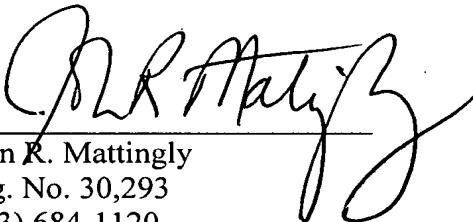
amendments and reconsideration of the rejected claims and new claims are respectfully requested.

### **Conclusion**

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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